

UNITED STATES INTELLIGENCE BOARD
SECURITY COMMITTEE

SECOM-D-114
30 September 1975

Mr. William L. Brown
Executive Director
Interagency Classification Review
Committee
Washington, D. C. 20408

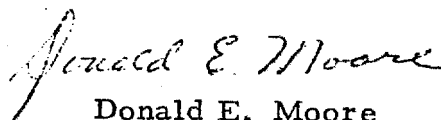
Dear Mr. Brown:

Attached is a draft copy of the "Intelligence Community Guidelines for Declassification or Extended Classification of Information Concerning Intelligence Sources and Methods" as modified at our meeting on 29 September 1975. I am also enclosing copies for Messrs. Thompson and Dargis.

I believe that our meeting was most profitable and appreciate your interest in arranging for Messrs. Thompson and Dargis to attend. Hopefully, we now have a very meaningful Guidelines paper which will be acceptable to all concerned.

We will defer elevating these Guidelines until you have had a chance to comment.

Sincerely,



Donald E. Moore
Chairman

Attachments (3)
As stated

Central Intelligence Agency
Washington, D.C. 20505

INTELLIGENCE COMMUNITY GUIDELINES FOR DECLASSIFICATION
OR EXTENDED CLASSIFICATION OF INFORMATION CONCERNING
INTELLIGENCE SOURCES AND METHODS

INTRODUCTION

1. All US Government classified information must be systematically reviewed as it becomes 30 years old to ensure its automatic declassification or, when specifically authorized, to extend its period of classification (reference section 5(E), E.O. 11652). Only the Head of an Agency or Department can extend classification protection beyond 30 years. Section 9 of E.O. 11652 provides for special requirements as delineated by statute, such as 50 U.S.C. S403(d)(3) and (g), which concern protection of intelligence sources and methods. In order to reasonably and effectively comply with both E.O. 11652 and the statute, these guidelines identify intelligence information which requires protection beyond 30 years, and other intelligence information which does not require such extended protection, for use by responsible authority in implementing the Executive Order in a manner which fully protects national security interests.

GENERAL

1. These guidelines are established to enable intelligence community personnel assisting the Archivist of the United States in meeting his systematic review requirements to declassify documents containing information concerning intelligence sources and methods and to properly identify those documents containing such information which require protection beyond the 30-year period. When personally approved by the Head of the Intelligence Community Department or Agency concerned, these guidelines are to be used by National Archives and Records Service personnel and by Intelligence Community Department and Agency personnel to identify that intelligence information originated by or under the current cognizance of such Department or Agency which may be declassified or which requires continued protection. The periods of additional time for continued classification of intelligence information shall be as shown for the specific items identified herein. These guidelines shall be cited as authority for either declassification actions or continued classification of the

information so specified. The provisions of the National Security Council Implementing Directive for Executive Order 11652 shall be applicable in the case of documents containing information requiring continued protection under these guidelines.

2. Guidelines for the declassification or extended classification of information concerning intelligence sources and methods shall be reviewed annually and personally approved by each Head of the Department or Agency concerned. Initially these guidelines will apply to all intelligence information originated on or before 31 December 1946. In order to facilitate the systematic review requirement imposed on the Archivist of the United States under Executive Order 11652, these or later-developed guidelines may be provided to the National Archives and Records Service as needed.

3. A major purpose of any classification or declassification review is to make available to the general public the maximum amount of data consistent with the obligation to safeguard national security interests. These interests include the protection of sensitive intelligence sources and methods. Such intelligence is identified as that classified intelligence, the unauthorized disclosure of which could lead to counter-action (1) jeopardizing the continued productivity of intelligence sources or methods that provide intelligence vital to the national security, or (2) offsetting the value of intelligence vital to the national security. "Sources" can be identified as the origins of information and "methods" as the ways by which intelligence data and/or intelligence sources are developed. In many cases, sources and methods are inseparable.

GUIDANCE

1. GENERAL

a. If, upon review under these guidelines, it is determined that a document must remain classified but much of the information therein could be declassified provided certain limited portions were excised, such as those which identify sensitive intelligence sources and methods, this fact should be noted. This will enable the Archivist to provide sanitized versions of otherwise classified documents to the public provided they are otherwise releasable under the law. However, care should be taken to ensure that the sanitization of a document does not change its meaning.

b. Intelligence documents and other record media, regardless of the subject, which contain information on identifiable intelligence sources and methods, the origin of which can be clearly traced to other US Government agencies, may not be declassified unilaterally by the holding agency. Such information or material may only be declassified after consultation with the agencies of origin or with successor agencies having direct interests in the subject matter.

c. Conventional or confidential sources of intelligence which have been disclosed by official spokesmen of Agencies or Departments of the Intelligence Community or by other senior US Government officers acting in their official capacity, or which have otherwise been so authoritatively and widely disseminated that they have become common knowledge, need no continued protection.

d. Documents containing classified intelligence which were provided to the United States by foreign governments or international bodies with the understanding that the information would be protected may not be declassified unilaterally by the United States without the concurrence of the foreign government or international body concerned. When specifically requested, such documents should be referred to the receiving US agency or its successor, and if that agency believes they can be declassified, it may seek a determination from the originating government as to the need for continued protection.

2. SPECIFIC GUIDANCE - SOURCES

a. Individuals. Human intelligence sources may be divided into two main categories: conventional and confidential.

(1) A conventional sources is:

(a) An individual or official with whom normal unconcealed, overt contact or liaison is maintained; or

(b) One who provides all types of intelligence information with the permission of his government; or

(c) One whose identity, relationship and connection with intelligence is not confidential.

Examples of conventional sources are:

1 US citizens who openly and freely give foreign intelligence information which they have acquired through their normal business or private activity to US intelligence agencies and have not requested that their identities or the names of their organizations be protected.

2 POWs, refugees, line crossers, deserters, and collaborators.

3 Non-US citizens who knowingly, freely, and openly provide to US citizens information which lies within the scope of their normal business or personal activity, whether or not they know at the time the ultimate recipient of the information is US intelligence; e. g., public affairs officers, newspaper editors, business leaders, government officials, etc.

(2) A confidential source may be witting or unwitting of his connection with a US Intelligence Service. His identity must be safeguarded because:

(a) He revealed information which is protected or not authorized for release by his country or the organization to which he is attached; or

(b) His government requires it, and we have agreed not to disclose his identity without his government's permission; or

(c) The information he has provided could be used by a foreign government as grounds for criminal or civil charges against him; or

(d) His known association with any representative of a US Intelligence Service would be prejudicial to him, his employer or employees, his descendants and relatives; or

(e) He supplied information or otherwise cooperated with US intelligence with the implicit or explicit understanding that his role be kept in confidence; or

(f) Disclosure would place him or his descendants, relatives or close associates in immediate jeopardy; or

(g) Disclosure would otherwise reasonably be expected to jeopardize his continued provision of intelligence.

Conventional sources may require protection to avoid jeopardizing their continued provision of intelligence, or where there are tacit agreements on nondisclosure or changing political circumstances indicate the likelihood of severe repercussions from disclosure. As a general rule, conventional sources do not require continued protection beyond 30 years and may be disclosed within a lesser period. Confidential sources require a greater measure of protection both because they generally provide intelligence of considerable importance which would likely be lost as a result of disclosure, and because they or others may suffer adverse personal consequences if their identities are disclosed. As a general rule, information which reveals the true identities of confidential sources shall remain classified for an additional period of 70 years and shall, at that time, be automatically declassified unless individual arrangements made at the time of the 30-year review require further review after the 70-year continued period of protection. Documents containing information pertaining to confidential sources may be declassified after 30 years following the date of origin of the material, provided that true names, code names, titles, job descriptions and all other identifying data are excised before declassification.

b. Personnel Information. Investigative, personnel, medical or similar records, the release of which would constitute an unwarranted invasion of privacy, character assassination, or breach of confidence, are protected from public disclosure by statute including the Freedom of Information Act [Exemption (b)(6) and (7)]

3. SPECIFIC GUIDANCE - INTELLIGENCE METHODS

a. Intelligence methods which may require continued protection beyond the 30-year mandatory review period include those

concerning techniques, procedures, and equipment employed for covert communications, technical surveillance and countersurveillance devices and strategies, and escape and evasion techniques. As a general rule, information which reveals the foregoing shall remain classified for an additional period of 20 years and shall at that time be automatically declassified unless individual arrangements made at the time of the 30-year review require further review after the 20-year period of continued protection. (Reviewers should refer to paragraph 4 below for guidance on Communications Intelligence and Cryptography.)

b. Information which reveals the true names of organizations which provided intelligence cover shall remain classified for an additional period of 70 years and shall, at that time, be automatically declassified unless individual arrangements made at the time of the 30-year review require further review after the 70-year period of continued protection. Documents containing information which would reveal the true names or other identifying information on organizations which provided intelligence cover may be released after 30 years following the date of origin of the material, provided the identifying information is excised. Defunct organizations or those officially identified or admitted to by the US Intelligence Community need no continued protection.

c. Information related to logistical and other support activities--such as, travel expense vouchers of military attaches as opposed to intelligence collection and covert action techniques adapted to particular operations and circumstances--does not in and of itself qualify as a sensitive method and normally does not require protection beyond 30 years.

4. SPECIFIC GUIDANCE - COMMUNICATIONS INTELLIGENCE AND CRYPTOGRAPHY

a. Communications intelligence, cryptography, and related activities may require protection against premature disclosure. Included are any data concerning or revealing the processes, techniques,

technical material and equipment, particular operations and overall scope of communications intelligence, and cryptographic security. All such information shall be protected for an additional period of 70 years, at which time it will be automatically declassified unless individual arrangements made at the time of the 30-year review require further review after the 70-year period of continued protection. However, the Archivist shall be notified on a case-by-case basis of specific items within this subject area which may be declassified earlier.

b. Classified messages or cables which do not relate to communications intelligence or cryptography as noted above will be reviewed for declassification or further protection in accordance with these guidelines based on the information content of the messages.